

(Docket Entry Nos. 164, 186, 200)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

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|------------------------------|---|----------------------------|
| MARS, INC. and MEI, INC.,    | : |                            |
| Plaintiffs,                  | : | Civil No. 05-3165 (RBK/JS) |
| v.                           | : | <b>ORDER</b>               |
| JCM AMERICAN CORP. and       | : |                            |
| JAPAN CASH MACHINE CO. LTD., | : |                            |
| Defendants.                  | : |                            |

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THIS MATTER having come before the Court on Defendants' Application for Fees and Motion for Exceptional Case, Motion to Strike the Declaration of Joy M. Stanton, and Motion for Rule 11 Sanctions; and the Court having considered the papers submitted by the parties; and for the reasons expressed in the Opinion issued this date;

IT IS HEREBY ORDERED that Defendants' Application for Fees and Motion for Exceptional Case (Docket No. is 186) granted in part and denied in part; and it is further ORDERED that Defendants shall be awarded \$63,288.00 in attorney's fees associated with their motion to dismiss; and it is further

ORDERED that Defendants' request for fees related to their opposition to Mars' Rule 25(c) motion is DENIED; and it is further

ORDERED that Defendants' requests for attorney's fees associated with discovery, costs and actual expenses are DENIED without prejudice; and it is further

ORDERED that Defendants' Motion for Exceptional case is DENIED; and it is further

ORDERED that Defendants' Motion to Strike the Declaration of Joy M. Stanton (Docket No. 200) is DENIED as moot; and it is further

ORDERED that Defendants' Motion for Rule 11 Sanctions (Docket No. 164) is DENIED.

Dated: 7-30-09

/s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge